IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 26771 of 2007(K)

AGAINST THE ORDER IN EP 241/2003 IN OS.175/2000 of MUNSIFF COURT, VAIKOM

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PETITIONER:

T. VALSAMMA, W/O. KURIYAN,
MANAGER GRADE II, KERALA STATE CO-OPERATIVE CONSUMER FEDERATION LTD., ERNAKULAM.

BY ADV. SRI.TOJAN J. VATHIKULAM

RESPONDENTS:

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1. **THE VAIKOM KURIES PVT. LTD.,**
   VAIKOM, KOTTAYAM, REPRESENTED BY ITS MANAGING PARTNER, SAJAN JACOB.

2. **P.U. KURIYAN,**
   VENGOLLIL HOUSE, ERAVIMANGALAM DESOM, MUTHUCHIRA VILLAGE, VAIKOM TALUK, KOTTAYAM.

3. **THE MANAGING DIRECTOR,**
   KERALA STATE CO-OPERATIVE CONSUMER FEDERATION LTD. GANDHINAGAR, KOCHI-682 020.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 7/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

M.N.KRISHNAN, J

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W.P.(C) No.26771 OF 2007

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Dated this the 7th day of September 2007

JUDGMENT

This writ petition is preferred for a direction to the Munsiff's Court, Vaikom to forthwith lift the attachment ordered against the petitioner in E.P.No.241/2003 in O.S.No.175 of 2000. As per the proviso to Section 60 (1)(i) C.P.C., the total period of continuous attachment can be only 24 months and thereafter it is to be finally exempted from attachment in execution of that decree. Therefore, I direct the Munsiff's Court, Vaikom to look into the matter and if already 24 instalments are recovered then forthwith lift the attachment. In order to facilitate the Munsiff to look into the matter, I direct the 3rd respondent not to effect the attachment only after he gets further orders from the Munsiff's Court.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-